

Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 6:00 p.m. on Tuesday, May 25, 2021. The open regular session was held in full conformity with the laws and ordinances and rules of the Municipality.

Upon roll call, the following were found to be present, constituting a quorum:

MAYOR	Nate Duckett
COUNCILORS	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly
ABSENT	Janis Jakino, Councilor

constituting all members of said Governing Body.

Also present were:

CITY MANAGER	Rob Mayes
ASSISTANT CITY MANAGER	Julie Baird
CITY ATTORNEY	Jennifer Breakell
CITY CLERK	Andrea Jones

The meeting was convened by the Mayor. Thereupon the following proceedings were duly had and taken:

The invocation was offered by Pastor Nathan Wheeler of Eastside Church of Christ.

Councilor Sharer led the Pledge of Allegiance.

CONSENT AGENDA: The Mayor announced that those items on the agenda marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on without discussion by one motion. He stated that if any item did not meet with approval of all Councilors or if a citizen so requested, that item would be removed from the Consent Agenda and heard.

*MINUTES: The minutes of the Special Work Session of the City Council held May 4, 2021 and the minutes of the Regular Meeting of the City Council held May 11, 2021.

*BID: The Chief Procurement Officer recommended that the bid for purchase of ADA (Americans with Disabilities Act) compliant pedestrian ramps and sidewalk improvements within the Animas District (Community Works) be awarded to H.O. Construction on its low bid of \$161,147. Bids opened May 11, 2021 with three bidders participating.

*ADOPTION OF RESOLUTION NO. 2021-1797 approving the Wildflower Parkway Resurfacing Project (Browning Parkway to Yarrow Trail) and requesting funds from the New Mexico Department of Transportation's Transportation Project Funds (TPF) for such project.

*ADOPTION OF RESOLUTION NO. 2021-1798 approving Phase III of the Foothills Drive Enhancement Project (Mesa Del Oso to East Cheva Court) and requesting funds from the New Mexico Department of Transportation's Transportation Project Funds (TPF) for such project.

*WARRANTS PAYABLE for the time period of May 9, 2021 through May 22, 2021, for current and prior years, in the amount of \$6,424,490.26.

There being no requests to remove any items, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to approve the Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

RECOGNITION/VALEDICTORIANS, SALUTATORIANS AND HONOR GRADS

Mayor Duckett recognized the Class of 2021 Valedictorians, Salutatorians and Honor Grads from Navajo Preparatory School ("Navajo Prep"), Farmington High School ("FHS"), Piedra Vista High School ("PVHS"), Rocinante High School ("RHS") and San Juan College High School ("SJCHS"). He presented Navajo Prep Valedictorian Cheyenne Murphy and Salutatorian Cade Allison, FHS Valedictorian Ryan Chang and Salutatorian Charlee Nystrom, PVHS Valedictorian Maxwell Bales and Salutatorian Jenna Basham, RHS Valedictorian Ezekiel Christensen and Salutatorian Levi Romero and SJCHS Honor Grads Robyn Curtis and Nathaniel Jobe with the Mayor's Outstanding Achievement Award and City pins.

RECOGNITION OF DEB DUMONT/CITIZENS POLICE ADVISORY COMMISSION

Mayor Duckett recognized Deb Dumont for her 15 years of dedicated service to the Citizens Police Advisory Commission and he pointed out that she has recently been appointed as a member of the Community Relations Commission. The Mayor presented Ms. Dumont with a plaque and City pin and the presentation was concluded with a hearty round of applause.

RECOGNITION OF MYA HAWBECKER/"DRESS THE LEAF" CONTEST WINNER

Directing the Council's attention to the distributed artwork, Electric Utility Director Hank Adair proudly recognized Mya Hawbecker as the winner of the Farmington Electric Utility System's ("FEUS") "Dress the LEAF" graphic art contest. He presented her with a \$100 Target gift card and the presentation was concluded with a photograph and round of applause.

RECOMMENDATION FROM THE PUBLIC UTILITY COMMISSION/RETURN TO REGULAR OPERATIONS FOR UTILITY DISCONNECTIONS

Providing opening remarks, Electric Utility Director Hank Adair reminded the Council that utility disconnections were suspended in March 2020 in conformance with the New Mexico Public Regulation Commission's ("NMPRC") disconnection moratorium during the pandemic. He relayed that the Public Utility Commission voted unanimously to recommend approval to return to regular operations for utility disconnections at their May 12, 2021 meeting and he introduced Utility Financial Analyst Olena Erickson and Customer Care Manager Nicki Parks.

Utilizing a PowerPoint presentation, Ms. Erickson reiterated that the Farmington Electric Utility System ("FEUS") suspended utility disconnections for non-payment on March 17, 2020 and she announced that the NMPRC has allowed the resumption of utility disconnections beginning May 5, 2021. She provided statistical information of unpaid customer balances since March 17, 2020 and she noted that customer balances for electric service alone have increased by approximately \$2 million. Ms. Erickson provided the financial impacts by service type, location count, unpaid bill count and the total amount owed and she discussed the disconnection plans being considered by other utility service providers in the region. Continuing with the presentation, Ms. Parks announced that if the resumption of utility disconnections is approved staff will begin notifying all customers by including information within their next utility bill and adding a recorded message to the telephone IVR system. Additionally, she stated that staff will call customers with balances greater than \$2,000 (approximately 400) to set up a payment plan and she discussed the financial assistance options available to qualified customers through LIHEAP (Low Income Home Energy Assistance Program) and ECHO, Inc. Concluding the presentation, Ms. Parks reviewed the steps required for a customer to set up a payment plan and she reported that a one-time "untimely COVID related payment plan deposit" forgiveness will be offered should a customer miss a payment plan allotment or their current bill payment.

In response to Councilor Sharer's question, Ms. Parks stated that the current software system is not capable of allowing a customer to set up a payment plan online.

Responding to multiple inquiries from Councilor Rodgers, Ms. Parks confirmed that interest and late fees will not be assessed to outstanding balances and she reported that payment plans will be capable of ranging from six to 24 months depending on the circumstances.

There being no further discussion, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to approve returning to regular operations for utility disconnections, and upon voice vote the motion carried unanimously.

REAPPOINTMENTS TO THE PLANNING AND ZONING COMMISSION

Mayor Duckett asked the Council's consideration of the reappointments of Ryan Brown and Cheryl Ragsdale (terms to May 2023) as members of the Planning and Zoning Commission.

Thereupon, a motion was made by Councilor Rodgers, seconded by Councilor Sharer to confirm the reappointments of Ryan Brown and Cheryl Ragsdale as members of the Planning and Zoning Commission, as recommended by the Mayor, and upon voice vote the motion carried unanimously.

COUNCIL BUSINESS

360 Evaluations for the City Attorney, City Clerk and City Manager

Mayor Duckett announced that the 360 Evaluations for the City Attorney, City Clerk and City Manager have been completed and will be discussed during a closed session at the June 15, 2021 City Council Work Session.

CITY MANAGER BUSINESS

City Manager Rob Mayes presented and read by title Resolution No. 2021-1799 adopting a final budget for Fiscal Year 2022. The title of the resolution being:

A RESOLUTION ADOPTING AN OFFICIAL FINAL BUDGET FOR THE CITY OF FARMINGTON, NEW MEXICO FOR FISCAL YEAR 2022 AND REQUESTING STATE APPROVAL.

Mr. Mayes announced that no changes have been made since the adoption of the preliminary budget at the May 18, 2021 City Council Work Session.

Following brief discussion, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to pass and adopt Resolution No. 2021-1799, as presented. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly
Those voting nay:	None
Those absent:	Janis Jakino

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried and Resolution No. 2021-1799 was duly passed and adopted.

Mr. Mayes also presented and read by title Resolution No. 2021-1800 enacting a Stage 1 Water Shortage Advisory. The title of the resolution being:

A RESOLUTION ENACTING A STAGE 1 - WATER SHORTAGE ADVISORY TO BE IN EFFECT AND URGING ALL CITIZENS TO COMPLY WITH THE WATER USE RESTRICTIONS DESCRIBED IN THE RESOLUTION

Utilizing a PowerPoint presentation, Community Works Director David Sypher reviewed the drought management indicators by reporting that Farmington Lake is currently at 100 percent of capacity; snow pack for the Animas River Basin is at 38 percent of normal; the precipitation projection is approximately 33-40 percent below average; the Palmer Drought Index indicates moderate drought conditions; and that stream flows are 48 percent of normal. As a result, he announced that staff is recommending that a Stage 1 Water Shortage Advisory be declared even though most of the criteria is not met because of the poor precipitation forecast. Concluding the presentation, Mr. Sypher reviewed the education efforts that will be provided to the community should the advisory be declared and stated that staff recommends an effective date of June 1, 2021.

In response to the Mayor's inquiries, Mr. Sypher reported that the National Oceanic and Atmospheric Administration ("NOAA") currently indicates severe to extreme drought conditions and he noted that Stage 1 is advisory and voluntary in nature. In addition, Mr. Mayes emphasized that the current ordinance only requires that one of the criteria be met to implement the advisory.

Mayor Duckett pointed out that if this advisory is declared, citizens will be asked to voluntarily reduce their water consumption by 10 percent.

Following brief discussion, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to approve Resolution No. 2021-1800, as presented. The roll was called with the following result:

Those voting aye:	Linda G. Rodgers Sean E. Sharer Jeanine Bingham-Kelly
Those voting nay:	None
Those absent:	Janis Jakino

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried and Resolution No. 2021-1800 was duly passed and adopted.

There being no further business to come before the Council, a motion was made by Councilor Sharer, seconded by Councilor Rodgers to adjourn the meeting at 7:06 p.m., and upon voice vote the motion carried unanimously.

The City Clerk certified that notice of the foregoing meeting was given by posting pursuant to Resolution No. 2013-1466, et seq.

Approved this 8th day of June, 2021.

Entered in the permanent record book this 9th day of June, 2021.



Nate Duckett, Mayor

SEAL

ATTEST:



Andrea Jones, City Clerk